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UNITED STATES PATENT AND TRADEMARK OFFICE

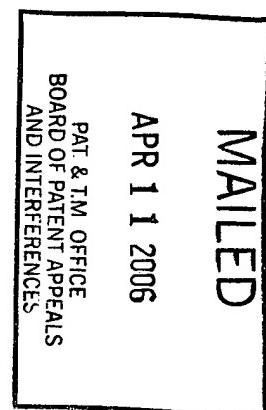
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MEIR EDELMAN,
AVIHAJ PERL, MOSHE FLAISHMAN, and
AMNON BLUMENTHAL,
Junior Party

(Application 09/529,172),

v.

ANNE-MARIE STOMP, and
NIRMALA RAJBHANDARI,
Senior Party
(Patent 6,040,498).



Patent Interference No. 105,261

Before Delmendo, Lane, and Moore, Administrative Patent Judges.

Lane, Administrative Patent Judge.

1 **Judgment - Request for Adverse - Bd.R. 127(b)**

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3 Edelman has filed a request for adverse judgment as to the contested subject
4 matter. (Paper 43, Request).¹

¹ Edelman filed the request with its motion to redefine the interfering subject matter by substituting Count 2 for Count 1 and having its claims 31 and 33-35 designated as not corresponding to Count 2. (Paper 44). Since that motion was granted, Edelman's request is directed toward the subject matter of Count 2 and the claims that correspond to Count 2.

Upon consideration of the record and for reasons given, it is

ORDERED that judgment on priority as to Count 2, the sole count of the

interference, is entered against junior party MEIR EDELMAN, AVIHAI PERL, MOSHE

FLAISHMAN, and AMNON BLUMENTHAL;

FURTHER ORDERED that junior party MEIR EDELMAN, AVI HAI PERL,

MOSHE FLAISHMAN, and AMNON BLUMENTHAL is not entitled to a patent

containing claims 1-8,² 12-18, 21-30, 32, 36, 54-58, and 65-71, which claims

correspond to Count 2;

FURTHER ORDER

FURTHER ORDERED that, if there is a settlement agreement, the parties

are directed to 35 USC 135(b) and Bd.R. 205;

FURTHER ORDERED that a copy of this judgment shall be entered into

the administrative records of Edelman's 09/529,172 application and Stomp's 6,040,498

patent.

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/Romulo H. Delmendo/)
Administrative Patent Judge)
) BOARD OF PATENT
/Sally Gardner Lane/)
Administrative Patent Judge) APPEALS AND
) INTERFERENCES
/James T. Moore/)
Administrative Patent Judge)

² The examiner has indicated that claim 3 is not patentable to Edelman on another basis as well (See Form 850, attached to Paper 1).

1 cc (via federal express):
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